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Garrison Probe Centered Thursday Around Shaw-Bertrand Mystery

NEW ORLEANS (UPI)—Dist. Attorney Jim Garrison's investigation of the Kennedy assassination focused Thursday on a bit of colorful testimony about whether businessman - playwright Clay L. Shaw and the mysterious Clay Bertrand are the same person.

"I can't say he is and I can't say he ain't," Jefferson Parish Attorney Dean Andrews Jr. told the New Orleans Grand Jury last month. This and other testimony has resulted in six perjury indictments against Andrews, five of them delivered Wednesday.

Andrews and Layton Martens, a 24-year-old student at the University of Southwestern Louisiana, were scheduled to appear in separate courts Friday to answer perjury indictments growing out of the Garrison probe.

But the investigation, now almost six months old, still seemed to center around the question of whether Bertrand was an alias used by Shaw or whether it is a matter of mistaken identity.

Shaw has been indicted for conspiracy to assassinate Kennedy. Garrison has accused him of using Bertrand as an alias. Shaw has denied using an alias and has denied that he conspired with the late David W. Ferrie and Lee Harvey Oswald to murder the president.

Andrews told the Warren Commission and the grand jury that he was requested by a man called Bertrand to represent Oswald at Dallas just after the assassination. Last month under extensive questioning in the grand jury, he said he could not testify whether Bertrand and Shaw are the same people.

Grand jury testimony made public by Garrison's office Wednesday carried these quotes from Andrews:

—"I just have to say there is no way in the world I can connect the two...

—"As I see him (Shaw) on TV—he is a tall cat—I don't believe the person I know as Clay Bertrand is as tall as him. "I don't know...I don't measure the guy then, I don't measure him now."

—"Even with me listening to the guy's voice on the phone, the voice I recall is somewhat similar to this cat's voice...The voice I recall on the phone as Clay Bertrand's is a deep, cultured well-educated voice — he don't talk like me, he used the King's English."

—"They think I have the key to who killed Kennedy I wish I did. I'd sell it and make a million dollars..."

Andrews told the grand jury that if he met Bertrand again he would probably recognize him by "instinct only."

"I'd really be as baffled as I am now. He is like the Holy Grail to me, you know you can see it, and you never get it."

The testimony quotes Andrews as saying Bertrand did not discuss a fee for defending Oswald, but said he would have taken the assignment if he had not been in a hospital at the time.

"On a case like that — you better believe it — I would go for nothing — I would become famous," Andrews told the jury.

Andrews also said he handled many free cases as an attorney.

"I'm the easiest mark in the world—if you need help I go help...There's more action for churches I been handling than Carter's got pills..."

Since the first perjury indictment was delivered against him last month Andrews has been under suspension as an assistant district attorney in Jefferson Parish.

Reports Say LSU Dismisses Russo Friend

Reports persisted Thursday that Steve Derby, a close friend of Perry Raymond Russo, has been dismissed from LSU for disciplinary reasons.

University officials steadfastly refused to deny or confirm that Steve Derby, the roommate of a Garrison probe witness was dropped from LSU's rolls.

One report said Russo, who testified against Clay Shaw in the New Orleans assassination plot investigation, had been sitting in for Derby during examinations. Another said it involved Derby's baseball scholarship.

Derby, 20, a sophomore, lived in the athletic dormitory as a member of the LSU baseball squad, but spent a great deal of time at Russo's off-campus apartment.

Russo referred at one time to Derby as his half-brother and later identified him as a cousin. Russo's full brother, however, said the two men were not relatives.

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He was scheduled to go to court Friday to ask that the first perjury indictment be dismissed, but Garrison's office said the first indictment was now a moot case, that it had been replaced by the five indictments delivered against Andrews Wednesday.

Martens, a former roommate of Ferrie's, was indicted last month following his testimony regarding a 1961 theft of explosives from a Houma, La., oil company bunker. The grand jury has indicted Gordon Novel and Sergio Archacha Smith, two figures mentioned in the assassination probe, for conspiracy in connection with the 1961 theft.

Probe Figure Posts New Bond At New Orleans

NEW ORLEANS (AP) — A new bond of $1,000 was posted Thursday by Dean A. Andrews Jr., a lawyer charged with lying under oath to the grand jury in the Kennedy assassination probe.

The bond was on Andrews' reindictment on the charge of perjury. The original indictment, challenged on the ground that it was not specific, was dismissed Thursday by Dist. Atty. Jim Garrison's office.

Andrews, a suspended assistant district attorney in suburban Jefferson Parish, predicted to newsmen that a "startling" development in the controversial case will come soon.

"There's some guys not involved down here who've been keeping a clock on the whole thing," he said. "And when it comes out, they're going to put the hat on the giant."

Asst. Dist. Atty. James L. Alcock said the official papers requesting extradition of Gordon Novel from Ohio probably will be sent to Louisiana Gov. McKeithen Friday to be forwarded on to the governor of Ohio.

Novel, who sold his New Orleans bar and left the state before he could be subpoenaed as a witness in the case, is free on bond. He was arrested in a Columbus suburb last month on warrants resulting from a conspiracy to burglarize charge sworn by Garrison's office.